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 DEMETRIC DI-AZ and OWEN DIAZ

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STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

DEMETRIC DI-AZ, OWEN DIAZ AND
 LAMAR PATTERSON

Plaintiffs,

v.

TESLA, INC. DBA TESLA MOTORS,
 INC., et al.,

Defendants.

Case No. 17-cv-06748-WHO

**JOINT STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE EXPERT
 DISCOVERY DEADLINES**

FAC Filed:
 Trial Date:

December 26, 2018
 March 2, 2020

1 Pursuant to Northern District of California Civil Local Rules 6-2 and 7-12, Plaintiffs
2 DEMETRIC DI-AZ and OWEN DIAZ (“Plaintiffs”), on the one hand, and Defendants TESLA,
3 INC. DBA TESLA MOTORS, INC. (“Tesla”), CITISTAFF, NEXTSOURCE, and WEST
4 VALLEY STAFFING GROUP, INC. by and through their respective counsel, hereby stipulate and
5 agree as follows:

6 WHEREAS, Plaintiffs filed the First Amended Complaint on December 26, 2018. (Dkt. No.
7 57). Defendant Answered the First Amended Complaint on January 1, 2019. (Dkt. No. 63).

8 WHEREAS, the Court’s July 17, 2019 Civil Pretrial Order requires all expert discovery,
9 including expert depositions, to be completed by November 20, 2019. (Dkt. No. 78).

10 WHEREAS, Tesla served Deposition Notices on Plaintiffs for each of Plaintiffs’ designated
11 experts on November 1, 2019.

12 WHEREAS, Plaintiffs informed all defense counsel that none of the experts were available
13 on the dates noticed;

14 WHEREAS, during the meet-and-confer process between the parties to determine deposition
15 dates for which all counsel and the designated experts were available, the parties agreed to continue
16 each of these expert depositions beyond the currently set expert discovery deadline of November
17 20, 2019.

18 WHEREAS, Plaintiffs also advised that Plaintiffs’ experts intended to prepare supplemental
19 reports, which will reflect discovery received and/or deposition testimony taken in this action after
20 the discovery cut-off, pursuant to either the Court’s Orders on Discovery Disputes (Dkt. Nos. 93,
21 110), and/or Stipulations between the parties (e.g., Dkt. No. 100).

22 WHEREAS, the parties further agreed that to save time and resources, particularly in light
23 of anticipated supplemental expert reports, which would require Tesla to potentially depose each
24 expert twice, to re-schedule the expert depositions on mutually agreeable times and dates after the
25 Settlement Conference, which is currently set for January 16, 2020 (Dkt. No. 89) and to extend the
26 expert discovery deadline to allow additional time for Plaintiffs’ experts to prepare supplemental
27 reports, if any.

28 WHEREAS, all Parties in this action agree to the continuation of the expert discovery

1 deadline, for Plaintiffs' supplemental expert reports and expert depositions, until after the Settlement
2 Conference to save time and resources.

3 NOW THEREFORE, the Parties hereby agree and stipulate as follows:

4 1. The expert discovery deadline shall be continued until 15 days after the last deposition of
5 Plaintiffs' designated experts is completed.

6 2. Plaintiffs' designated experts shall provide any supplemental Expert Reports, reflecting
7 discovery received or depositions taken after the original expert disclosure date of October 11, 2019,
8 30 days prior to the agreed deposition date for each of Plaintiff's designated experts.

9
10 **IT IS SO STIPULATED.**
11

12 Dated: November 18, 2019

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

14 By /s/ Patricia M. Jeng

15 TRACEY A. KENNEDY
16 PATRICIA M. JENG
REANNE SWAFFORD-HARRIS

17 Attorneys for Defendant
18 TESLA, INC. dba TESLA MOTORS, INC.

19 Dated: November 18, 2019

CALIFORNIA CIVIL RIGHTS LAW GROUP

21 By /s/ Lawrence A. Organ

22 Lawrence A. Organ
23 Navruz Avloni
24 Attorneys for Plaintiffs
DEMETRIC DI-AZ and OWEN DIAZ

1
2 Dated: November 18, 2019

FISHER & PHILLIPS LLP

3
4 By /s/ Juan Araneda

5 Jason Geller
6 Juan Araneda
7 Vincent J. Adams
8 Attorneys for Defendant
9 NEXTSOURCE, INC.

10 Dated: November 18, 2019

LAFAYETTE & KUMAGAI

11 By /s/ Cheryl Stevens

12 Gary Lafayette
13 Cheryl Stevens
14 Attorneys for Defendant
15 CITISTAFF SOLUTIONS, INC.

16
17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18 DATED: _____

19 _____
20 HONORABLE WILLIAM H. ORRICK
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